

EXHIBIT 122

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

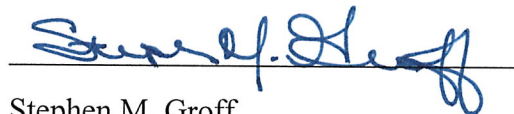
CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Stephen M. Groff, hereby declare as follows:

1. I am the Director of the Division of Medicaid and Medical Assistance ("DMMA").
2. DMMA administers the Medicaid and Children's Health Insurance Program ("CHIP") programs in Delaware.
3. The rescission of the Deferred Action for Childhood Arrivals ("DACA") will likely create a financial burden on the State of Delaware if and when DACA recipients need Emergency and Labor/Delivery Services.
4. Assuming that DACA recipients had access to employer-sponsored or other commercial health care coverage, the loss of deferred status would likely result in a loss of that coverage.
5. Consequently, those former DACA recipients may be eligible for Emergency and Labor/Delivery Services.
6. The State of Delaware must offer Emergency and Labor/Delivery Services to uninsured individuals pursuant to 42 CFR 440.255 and 16 Del. Admin. C. §143301 (Medicaid Eligibility for Illegally Residing Nonqualified Aliens). The Delaware Medicaid program pays for the services and receives 50% match from the federal Medicaid program.
7. The rescission of DACA will likely cause former DACA recipients to seek State-sponsored Emergency and Labor/Delivery Services. This would impose a direct financial burden upon the State of Delaware.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 26th day of September, 2017.

A handwritten signature in blue ink, appearing to read "Stephen M. Groff", is written over a horizontal line.

Stephen M. Groff
Director
Division of Medicaid and Medical Assistance